

REMARKS

This Application has been carefully reviewed in light of the *Office Action*. Applicants appreciate the Examiner's consideration of the Application. Applicants respectfully request reconsideration and favorable action in this case.

Applicants' Summary of Telephone Interview

Applicants appreciate the Examiner's participation in the telephone conference conducted on May 26, 2009 among Examiner Brian T. O'Connor and Applicants' representatives (Keiko Ichiye, Reg. No. 45,460 and Timothy R. Gerlach, Reg. No. 57,548). During the telephone conference, the § 103 rejections were discussed with respect to *Visser* and in particular the operation of *Visser*. The Examiner indicated he would likely need to search for additional references.

Section 103(a) Rejection

The *Office Action* rejects Claims 1-21 under 35 U.S.C. § 103(a) wherein Claims 1-5, 7-10, 12-15, and 17-20 are rejected based on U.S. Patent No. 6,553,423 issued to Chen ("*Chen*") in view of U.S. Patent No. 7,327,683 issued to Ogier et al. ("*Ogier*"), "On Inferring Autonomous System Relationship in the Internet" by Gao ("*Gao*"), and U.S. Patent No. 7,236,453 issued to Visser et al. ("*Visser*"); and Claims 6, 11, 16, and 21 are rejected based on *Chen* in view *Ogier*, *Gao*, *Visser*, and U.S. Patent Application Pub. No. 2006/0182034 filed by Klinker ("*Klinker*"). Applicants respectfully traverse these rejections for at least the reasons discussed below.

Applicants respectfully submit that the proposed combination of *Chen*, *Ogier*, *Gao* and *Visser* fails to disclose, teach, or suggest each of the elements of the claims. For example, with respect to Claim 1, the proposed combination fails to disclose a network element that "receives an advertisement communication from each respective autonomous system within an internetwork, the advertisement comprising a list of all autonomous systems connected to the respective autonomous system."

The *Office Action* contends "Visser discloses sending all routes from one router (10 of Figure 1) to another router (14, 15 of Figure 1) in a BGP protocol network." *Office Action*, page 5. *Visser*, however, discloses sending routes among components of a single router. In

particular *Visser* discloses active and backup hardware within a single router. "RouterA 10 contains two separate control plane hardware processors, indicated by ACTIVE-BGP4 11 and BACKUP-BGP4 12." *See e.g., Visser*, FIG. 1; column 3, lines 51-53. The active hardware in the router transmits routes to the backup hardware of the same router. "[A]ctive BGP4 instance 11 transmits the routes learned from that peer router to backup BGP4 instance 12." *Visser*, column 4, lines 17-18. That is, the learned routes are transmitted internally between different hardware instances within a single router—not to routers 14 or 15 as suggested by the *Office Action*.

Thus, *Visser* does not cure the deficiencies of *Chen*, *Ogier*, and *Gao*. Accordingly, the proposed combination of *Chen*, *Ogier*, *Gao*, and *Visser* fails to disclose, teach, or suggest a network element that "receives an advertisement communication from each respective autonomous system within an internetwork, the advertisement comprising a list of all autonomous systems connected to the respective autonomous system." For at least this reason, Applicants respectfully submit that Claim 1, and all claims depending therefrom, are allowable over the proposed combination. For at least certain analogous reasons, Applicants respectfully submit that Claims 7, 12, and 17 are allowable over the proposed combination.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully requests full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6494.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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